

109TH CONGRESS
2^D SESSION

H. R. 5441

AN ACT

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 fiscal year ending September 30, 2007, for the Depart-
4 ment of Homeland Security and for other purposes, name-
5 ly:

6 TITLE I—DEPARTMENTAL MANAGEMENT AND
7 OPERATIONS

8 OFFICE OF THE SECRETARY AND EXECUTIVE
9 MANAGEMENT

10 For necessary expenses of the Office of the Secretary
11 of Homeland Security, as authorized by section 102 of the
12 Homeland Security Act of 2002 (6 U.S.C. 112), and exec-
13 utive management of the Department of Homeland Secu-
14 rity, as authorized by law, \$95,884,000 (reduced by
15 \$3,000,000) (reduced by \$5,000,000): *Provided*, That not
16 to exceed \$40,000 shall be for official reception and rep-
17 resentation expenses: *Provided further*, That of the funds
18 provided under this heading, \$10,000,000 shall not be
19 available for obligation until the Secretary of Homeland
20 Security submits a comprehensive port, container, and
21 cargo security strategic plan to the Committee on Appro-
22 priations and Committee on Homeland Security of the
23 House of Representatives that requires screening all in-
24 bound cargo, doubles the percentage of inbound cargo cur-
25 rently inspected, sets minimum standards for securing in-

1 bound cargo, and includes the fiscal year 2007 perform-
 2 ance requirements for port, container, and cargo security
 3 as specified in the report accompanying this Act: *Provided*
 4 *further*, That the Secretary is directed to submit the Se-
 5 cure Border Initiative multi-year strategic plan to the
 6 Committee on Appropriations and the Committee on
 7 Homeland Security of the House of Representatives no
 8 later than November 1, 2006 that includes: a comprehen-
 9 sive mission statement; an identification of long-term
 10 goals; an explanation of how long-term goals will be
 11 achieved; schedule and resource requirements for goal
 12 achievement; an identification of annual performance
 13 goals and how they link to long-term goals; an identifica-
 14 tion of annual performance measures used to gauge effec-
 15 tiveness towards goal achievement by goal; and an identi-
 16 fication of major capital assets critical to program success.

17 OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

18 For necessary expenses of the Office of the Under
 19 Secretary for Management, as authorized by sections 701
 20 through 705 of the Homeland Security Act of 2002 (6
 21 U.S.C. 341–345), \$159,489,000 (reduced by
 22 \$15,000,000) (reduced by \$50,000,000) (reduced by
 23 \$24,000,000): *Provided*, That not to exceed \$3,000 shall
 24 be for official reception and representation expenses: *Pro-*
 25 *vided further*, That of the total amount provided,

1 \$8,206,000 shall remain available until expended solely for
2 the alteration and improvement of facilities, tenant im-
3 provements, and relocation costs to consolidate Depart-
4 ment headquarters operations.

5 OFFICE OF THE CHIEF FINANCIAL OFFICER

6 For necessary expenses of the Office of the Chief Fi-
7 nancial Officer, as authorized by section 103 of the Home-
8 land Security Act of 2002 (6 U.S.C. 113), \$43,480,000,
9 of which \$18,000,000 is for the eMerge² Program: *Pro-*
10 *vided*, That \$10,000,000 shall be withheld from obligation
11 until the Office of the Chief Financial Officer submits
12 monthly budget execution reports to the Committees on
13 Appropriations of the Senate and the House of Represent-
14 atives as required by section 529 of this Act.

15 OFFICE OF THE CHIEF INFORMATION OFFICER

16 For necessary expenses of the Office of the Chief In-
17 formation Officer, as authorized by section 103 of the
18 Homeland Security Act of 2002 (6 U.S.C. 113), and De-
19 partment-wide technology investments, \$364,765,000; of
20 which \$79,521,000 shall be available for salaries and ex-
21 penses; and of which \$285,244,000 shall be available for
22 development and acquisition of information technology
23 equipment, software, services, and related activities for the
24 Department of Homeland Security, and for the costs of
25 conversion to narrowband communications, including the

1 cost for operation of the land mobile radio legacy systems,
2 to remain available until expended: *Provided*, That none
3 of the funds appropriated shall be used to support or sup-
4 plement the appropriations provided for the United States
5 Visitor and Immigrant Status Indicator Technology
6 project or the Automated Commercial Environment.

7 ANALYSIS AND OPERATIONS

8 For necessary expenses for information analysis and
9 operations coordination activities, as authorized by title II
10 of the Homeland Security Act of 2002 (6 U.S.C. 121 et
11 seq.), \$298,663,000, to remain available until September
12 30, 2008, of which not to exceed \$5,000 shall be for offi-
13 cial reception and representation expenses.

14 OFFICE OF THE FEDERAL COORDINATOR FOR GULF

15 COAST REBUILDING

16 For necessary expenses of the Office of the Federal
17 Coordinator for Gulf Coast Rebuilding, \$3,000,000: *Pro-*
18 *vided*, That \$1,000,000 shall not be available for obliga-
19 tion until the Federal Coordinator submits to the Com-
20 mittee on Appropriations of the House of Representatives
21 a report related to Federal rebuilding efforts.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary expenses of the Office of Inspector
24 General in carrying out the provisions of the Inspector
25 General Act of 1978 (5 U.S.C. App.), \$96,185,000, of

1 which not to exceed \$100,000 may be used for certain con-
2 fidential operational expenses, including the payment of
3 informants, to be expended at the direction of the Inspec-
4 tor General.

5 TITLE II—SECURITY, ENFORCEMENT, AND
6 INVESTIGATIONS

7 UNITED STATES VISITOR AND IMMIGRANT STATUS
8 INDICATOR TECHNOLOGY

9 For necessary expenses for the development of the
10 United States Visitor and Immigrant Status Indicator
11 Technology project, as authorized by section 110 of the
12 Illegal Immigration Reform and Immigrant Responsibility
13 Act of 1996 (8 U.S.C. 1365a), \$362,494,000, to remain
14 available until expended: *Provided*, That of the total
15 amount made available under this heading, \$312,494,000
16 may not be obligated for the United States Visitor and
17 Immigrant Status Indicator Technology project until the
18 Committees on Appropriations of the Senate and the
19 House of Representatives receive and approve a plan for
20 expenditure prepared by the Secretary of Homeland Secu-
21 rity that—

22 (1) meets the capital planning and investment
23 control review requirements established by the Office
24 of Management and Budget, including Circular A–
25 11, part 7;

1 (2) complies with the Department of Homeland
2 Security information systems enterprise architecture;

3 (3) complies with the acquisition rules, require-
4 ments, guidelines, and systems acquisition manage-
5 ment practices of the Federal Government;

6 (4) includes a certification by the Chief Infor-
7 mation Officer of the Department of Homeland Se-
8 curity that an independent verification and valida-
9 tion agent is currently under contract for the
10 project;

11 (5) is reviewed and approved by the Depart-
12 ment of Homeland Security Investment Review
13 Board, the Secretary of Homeland Security, and the
14 Office of Management and Budget; and

15 (6) is reviewed by the Government Account-
16 ability Office.

17 CUSTOMS AND BORDER PROTECTION

18 SALARIES AND EXPENSES

19 For necessary expenses for enforcement of laws relat-
20 ing to border security, immigration, customs, and agricul-
21 tural inspections and regulatory activities related to plant
22 and animal imports; purchase and lease of up to 4,500
23 (3,500 for replacement only) police-type vehicles; and con-
24 tracting with individuals for personal services abroad;
25 \$5,435,310,000 (reduced by \$2,000,000); of which

1 \$3,026,000 shall be derived from the Harbor Maintenance
2 Trust Fund for administrative expenses related to the col-
3 lection of the Harbor Maintenance Fee pursuant to section
4 9505(c)(3) of the Internal Revenue Code of 1986 (26
5 U.S.C. 9505(c)(3)) and notwithstanding section
6 1511(e)(1) of the Homeland Security Act of 2002 (6
7 U.S.C. 551(e)(1)); of which not to exceed \$45,000 shall
8 be for official reception and representation expenses; of
9 which not less than \$162,976,000 shall be for Air and Ma-
10 rine Operations; of which such sums as become available
11 in the Customs User Fee Account, except sums subject
12 to section 13031(f)(3) of the Consolidated Omnibus Budg-
13 et Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall
14 be derived from that account; of which not to exceed
15 \$150,000 shall be available for payment for rental space
16 in connection with preclearance operations; and of which
17 not to exceed \$1,000,000 shall be for awards of compensa-
18 tion to informants, to be accounted for solely under the
19 certificate of the Secretary of Homeland Security: *Pro-*
20 *vided*, That for fiscal year 2007, the overtime limitation
21 prescribed in section 5(c)(1) of the Act of February 13,
22 1911 (19 U.S.C. 267(c)(1)) shall be \$35,000; and not-
23 withstanding any other provision of law, none of the funds
24 appropriated by this Act may be available to compensate
25 any employee of the Bureau of Customs and Border Pro-

1 tection for overtime, from whatever source, in an amount
2 that exceeds such limitation, except in individual cases de-
3 termined by the Secretary of Homeland Security, or the
4 designee of the Secretary, to be necessary for national se-
5 curity purposes, to prevent excessive costs, or in cases of
6 immigration emergencies: *Provided further*, That no funds
7 shall be available for the site acquisition, design, or con-
8 struction of any Border Patrol checkpoint in the Tucson
9 sector: *Provided further*, That the Border Patrol shall relo-
10 cate its checkpoints in the Tucson sector at least once
11 every seven days in a manner designed to prevent persons
12 subject to inspection from predicting the location of any
13 such checkpoint: *Provided further*, That of the total
14 amount made available under this heading, \$115,000,000
15 shall be for the Secure Border Initiative Technology and
16 Tactical Infrastructure (SBI-net) program, project, and
17 activity, to remain available until expended, of which
18 \$25,000,000 shall not be available for obligation until the
19 Committees on Appropriations of the Senate and the
20 House of Representatives receive and approve a plan for
21 expenditure prepared by the Secretary of Homeland Secu-
22 rity that—

23 (1) defines activities, milestones, and costs for
24 implementing the program;

1 (2) demonstrates how activities will further the
2 goals and objectives of the SBI, as defined in the
3 SBI multi-year strategic plan;

4 (3) identifies funding and the organizational
5 staffing (including full-time employee equivalents,
6 contractors, and detailees) requirements by activity;

7 (4) reports on costs incurred, the activities com-
8 pleted, and the progress made by the program;

9 (5) includes a certification by the Chief Pro-
10 curement Officer of the Department of Homeland
11 Security that procedures to prevent conflicts of in-
12 terest between the prime integrator and major sub-
13 contractors are established and that an independent
14 verification and validation agent is currently under
15 contract for the project;

16 (6) is reviewed and approved by the Depart-
17 ment of Homeland Security Investment Review
18 Board, the Secretary of Homeland Security, and the
19 Office of Management and Budget;

20 (7) complies with the capital planning and in-
21 vestment control review requirements established by
22 the Office of Management and Budget, including
23 Circular A-11, part 7;

24 (8) complies with all applicable acquisition
25 rules, requirements, guidelines, and best systems ac-

1 quisition management practices of the Federal Gov-
2 ernment; and

3 (9) is reviewed by the Government Account-
4 ability Office.

5 AUTOMATION MODERNIZATION

6 For expenses for customs and border protection auto-
7 mated systems, \$451,440,000, to remain available until
8 expended, of which not less than \$316,800,000 shall be
9 for the development of the Automated Commercial Envi-
10 ronment: *Provided*, That of the total amount made avail-
11 able under this heading, \$216,800,000 may not be obli-
12 gated for the Automated Commercial Environment until
13 the Committees on Appropriations of the Senate and the
14 House of Representatives receive and approve a plan for
15 expenditure prepared by the Secretary of Homeland Secu-
16 rity that—

17 (1) meets the capital planning and investment
18 control review requirements established by the Office
19 of Management and Budget, including Circular A–
20 11, part 7;

21 (2) complies with the Department of Homeland
22 Security information systems enterprise architecture;

23 (3) complies with the acquisition rules, require-
24 ments, guidelines, and systems acquisition manage-
25 ment practices of the Federal Government;

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aerial vehicles, and other related equipment of the air and marine program, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and at the discretion of the Secretary of Homeland Security, the provi-

1 sion of assistance to Federal, State, and local agencies in
2 other law enforcement and emergency humanitarian ef-
3 forts, \$373,199,000, to remain available until expended:
4 *Provided*, That no aircraft or other related equipment,
5 with the exception of aircraft that are one of a kind and
6 have been identified as excess to the Bureau of Customs
7 and Border Protection requirements and aircraft that
8 have been damaged beyond repair, shall be transferred to
9 any other Federal agency, department, or office outside
10 of the Department of Homeland Security during fiscal
11 year 2007 without the prior approval of the Committees
12 on Appropriations of the Senate and the House of Rep-
13 resentatives: *Provided further*, That of the total amount
14 made available under this heading, \$6,800,000 shall not
15 be available for obligation until the Committee on Appro-
16 priations, the Committee on Transportation and Infra-
17 structure, and the Committee on Homeland Security of
18 the House of Representatives receive a report on the April
19 25, 2006, unmanned aerial vehicle mishap.

20 CONSTRUCTION

21 For necessary expenses to plan, construct, renovate,
22 equip, and maintain buildings and facilities necessary for
23 the administration and enforcement of the laws relating
24 to customs and immigration, \$175,154,000, to remain
25 available until expended.

1 IMMIGRATION AND CUSTOMS ENFORCEMENT

2 SALARIES AND EXPENSES

3 For necessary expenses for enforcement of immigra-
4 tion and customs laws, detention and removals, and inves-
5 tigation; and purchase and lease of up to 2,740 (2,000
6 for replacement only) police-type vehicles, \$3,843,257,000
7 (increased by \$5,000,000) (increased by \$2,000,000), of
8 which not to exceed \$7,500,000 shall be available until ex-
9 pended for conducting special operations pursuant to sec-
10 tion 3131 of the Customs Enforcement Act of 1986 (19
11 U.S.C. 2081); of which not to exceed \$15,000 shall be for
12 official reception and representation expenses; of which
13 not to exceed \$1,000,000 shall be for awards of compensa-
14 tion to informants, to be accounted for solely under the
15 certificate of the Secretary of Homeland Security; of which
16 not less than \$102,000 shall be for promotion of public
17 awareness of the child pornography tipline; of which not
18 less than \$203,000 shall be for Project Alert; of which
19 not less than \$5,400,000 may be used to facilitate agree-
20 ments consistent with section 287(g) of the Immigration
21 and Nationality Act (8 U.S.C. 1357(g)); and of which not
22 to exceed \$11,216,000 shall be available to fund or reim-
23 burse other Federal agencies for the costs associated with
24 the care, maintenance, and repatriation of smuggled illegal
25 aliens: *Provided*, That none of the funds made available

1 under this heading shall be available to compensate any
2 employee for overtime in an annual amount in excess of
3 \$35,000, except that the Secretary of Homeland Security,
4 or the designee of the Secretary, may waive that amount
5 as necessary for national security purposes and in cases
6 of immigration emergencies: *Provided further*, That of the
7 total amount provided, \$15,770,000 shall be for activities
8 to enforce laws against forced child labor in fiscal year
9 2007, of which not to exceed \$6,000,000 shall remain
10 available until expended.

11 FEDERAL PROTECTIVE SERVICE

12 The revenues and collections of security fees credited
13 to this account, not to exceed \$516,011,000, shall be avail-
14 able until expended for necessary expenses related to the
15 protection of federally-owned and leased buildings and for
16 the operations of the Federal Protective Service.

17 CONSTRUCTION

18 For necessary expenses to plan, construct, renovate,
19 equip, and maintain buildings and facilities necessary for
20 the administration and enforcement of the laws relating
21 to customs and immigration, \$26,281,000, to remain
22 available until expended.

1 TRANSPORTATION SECURITY ADMINISTRATION
2 AVIATION SECURITY

3 For necessary expenses of the Transportation Secu-
4 rity Administration related to providing civil aviation secu-
5 rity services pursuant to the Aviation and Transportation
6 Security Act (Public Law 107–71; 115 Stat. 597; 49
7 U.S.C. 40101 note), \$4,704,414,000, to remain available
8 until September 30, 2008, of which not to exceed \$3,000
9 shall be for official reception and representation expenses:
10 *Provided*, That of the total amount made available under
11 this heading, not to exceed \$3,740,866,000 shall be for
12 screening operations, of which \$136,000,000 shall be
13 available only for procurement of checked baggage explo-
14 sive detection systems and \$94,000,000 shall be available
15 only for installation of checked baggage explosive detection
16 systems; and not to exceed \$963,548,000 shall be for avia-
17 tion security direction and enforcement: *Provided further*,
18 That security service fees authorized under section 44940
19 of title 49, United States Code, shall be credited to this
20 appropriation as offsetting collections and shall be avail-
21 able only for aviation security: *Provided further*, That the
22 sum herein appropriated from the General Fund shall be
23 reduced on a dollar-for-dollar basis as such offsetting col-
24 lections are received during fiscal year 2007, so as to re-
25 sult in a final fiscal year appropriation from the General

1 Fund estimated at not more than \$2,284,414,000: *Pro-*
2 *vided further*, That any security service fees collected in
3 excess of the amount made available under this heading
4 shall become available during fiscal year 2008: *Provided*
5 *further*, That notwithstanding section 44923 of title 49,
6 United States Code, the share of the cost of the Federal
7 Government for a project under any letter of intent shall
8 be 75 percent for any medium or large hub airport and
9 not more than 90 percent for any other airport, and all
10 funding provided by section 44923(h) of title 49, United
11 States Code, or from appropriations authorized under sec-
12 tion 44923(i)(1) of title 49, United States Code, may be
13 distributed in any manner deemed necessary to ensure
14 aviation security and to fulfill the Government's planned
15 cost share under existing letters of intent: *Provided fur-*
16 *ther*, That no funding may be obligated for air cargo secu-
17 rity, other than that for air cargo inspectors, canines, and
18 screeners, until a detailed air cargo security action plan
19 addressing each of the recommendations contained in the
20 2005 Government Accountability Office Report (GAO-06-
21 76) on domestic air cargo security is provided to the Com-
22 mittee on Appropriations and Committee on Homeland
23 Security of the House of Representatives: *Provided fur-*
24 *ther*, That beginning in fiscal year 2007 and thereafter,
25 reimbursement for security services and related equipment

1 and supplies provided in support of general aviation access
 2 to the Ronald Reagan Washington National Airport shall
 3 be credited to this appropriation and shall be available
 4 until expended solely for those purposes: *Provided further,*
 5 That none of the funds in this Act shall be used to recruit
 6 or hire personnel into the Transportation Security Admin-
 7 istration which would cause the agency to exceed a staff-
 8 ing level of 45,000 full-time equivalent screeners.

9 SURFACE TRANSPORTATION SECURITY

10 For necessary expenses of the Transportation Secu-
 11 rity Administration related to providing surface transpor-
 12 tation security activities, \$37,200,000, to remain available
 13 until September 30, 2008.

14 TRANSPORTATION THREAT ASSESSMENT AND
 15 CREDENTIALING

16 For necessary expenses for the development and im-
 17 plementation of screening programs of the Office of
 18 Transportation Threat Assessment and Credentialing,
 19 \$74,700,000, to remain available until September 30,
 20 2008.

21 TRANSPORTATION SECURITY SUPPORT

22 For necessary expenses of the Transportation Secu-
 23 rity Administration related to providing transportation se-
 24 curity support and intelligence pursuant to the Aviation
 25 and Transportation Security Act (Public Law 107-71;
 26 115 Stat. 597; 49 U.S.C. 40101 note), \$523,283,000 (re-

1 duced by \$20,000,000), to remain available until Sep-
 2 tember 30, 2008: *Provided*, That of the funds appro-
 3 priated under this heading, \$5,000,000 may not be obli-
 4 gated until the Secretary of Homeland Security submits
 5 to the Committees on Appropriations of the Senate and
 6 the House of Representatives a detailed expenditure plan
 7 for explosive detection systems refurbishment, procure-
 8 ment, and installations on an airport-by-airport basis for
 9 fiscal year 2007: *Provided further*, That this plan shall be
 10 submitted no later than 60 days from the date of enact-
 11 ment of this Act.

12 FEDERAL AIR MARSHALS

13 For necessary expenses of the Federal Air Marshals,
 14 \$699,294,000.

15 UNITED STATES COAST GUARD

16 OPERATING EXPENSES

17 For necessary expenses for the operation and mainte-
 18 nance of the United States Coast Guard not otherwise
 19 provided for; purchase or lease of not to exceed 25 pas-
 20 senger motor vehicles, which shall be for replacement only;
 21 payments pursuant to section 156 of Public Law 97-377
 22 (42 U.S.C. 402 note); and recreation and welfare;
 23 \$5,481,643,000, of which \$340,000,000 shall be for de-
 24 fense-related activities; of which \$24,255,000 shall be de-
 25 rived from the Oil Spill Liability Trust Fund to carry out

1 the purposes of section 1012(a)(5) of the Oil Pollution Act
2 of 1990 (33 U.S.C. 2712(a)(5)); and of which not to ex-
3 ceed \$3,000 shall be for official reception and representa-
4 tion expenses: *Provided*, That none of the funds made
5 available by this or any other Act shall be available for
6 administrative expenses in connection with shipping com-
7 missioners in the United States: *Provided further*, That
8 none of the funds made available by this Act shall be for
9 expenses incurred for yacht documentation under section
10 12109 of title 46, United States Code, except to the extent
11 fees are collected from yacht owners and credited to this
12 appropriation.

13 ENVIRONMENTAL COMPLIANCE AND RESTORATION

14 For necessary expenses to carry out the environ-
15 mental compliance and restoration functions of the United
16 States Coast Guard under chapter 19 of title 14, United
17 States Code, \$11,880,000, to remain available until ex-
18 pended.

19 RESERVE TRAINING

20 For necessary expenses of the Coast Guard Reserve,
21 as authorized by law; operations and maintenance of the
22 reserve program; personnel and training costs; and equip-
23 ment and services; \$122,348,000.

24 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

25 For necessary expenses of acquisition, construction,
26 renovation, and improvement of aids to navigation, shore

1 facilities, vessels, and aircraft, including equipment related
2 thereto; and maintenance, rehabilitation, lease and oper-
3 ation of facilities and equipment, as authorized by law;
4 \$1,139,663,000, of which \$19,800,000 shall be derived
5 from the Oil Spill Liability Trust Fund to carry out the
6 purposes of section 1012(a)(5) of the Oil Pollution Act
7 of 1990 (33 U.S.C. 2712(a)(5)); of which \$24,750,000
8 shall be available until September 30, 2011, to acquire,
9 repair, renovate, or improve vessels, small boats, and re-
10 lated equipment; of which \$15,000,000 shall be available
11 until September 30, 2011, to increase aviation capability;
12 of which \$101,823,000 shall be available until September
13 30, 2009, for other equipment; of which \$24,450,000 shall
14 be available until September 30, 2009, for shore facilities
15 and aids to navigation facilities; of which \$81,000,000
16 shall be available for personnel compensation and benefits
17 and related costs; and of which \$892,640,000 shall be
18 available until September 30, 2011, for the Integrated
19 Deepwater Systems program: *Provided*, That the Com-
20 mandant of the Coast Guard is authorized to dispose of
21 surplus real property, by sale or lease, and the proceeds
22 shall be credited to this appropriation as offsetting collec-
23 tions and shall be available until September 30, 2009: *Pro-*
24 *vided further*, That the Secretary of Homeland Security
25 shall submit to the Committees on Appropriations of the

1 Senate and the House of Representatives, in conjunction
2 with the President's fiscal year 2008 budget, a review of
3 the Revised Deepwater Implementation Plan that identi-
4 fies any changes to the plan for the fiscal year; an annual
5 performance comparison of Deepwater assets to pre-Deep-
6 water legacy assets; a status report of legacy assets; a de-
7 scription of the competitive process conducted in all con-
8 tracts and subcontracts exceeding \$5,000,000 within the
9 Deepwater program; and the earned value management
10 system gold card data for each Deepwater asset: *Provided*
11 *further*, That the Secretary shall submit to the Committees
12 on Appropriations of the Senate and the House of Rep-
13 resentatives a comprehensive review of the Revised Deep-
14 water Implementation Plan every five years, beginning in
15 fiscal year 2011, that includes a complete projection of
16 the acquisition costs and schedule for the duration of the
17 plan through fiscal year 2027: *Provided further*, That the
18 Secretary shall annually submit to the Committees on Ap-
19 propriations of the Senate and the House of Representa-
20 tives, at the time that the President's budget is submitted
21 under section 1105(a) of title 31, United States Code, a
22 future-years capital investment plan for the Coast Guard
23 that identifies for each capital budget line item—
24 (1) the proposed appropriation included in that
25 budget;

1 (2) the total estimated cost of completion;

2 (3) projected funding levels for each fiscal year
3 for the next five fiscal years or until project comple-
4 tion, whichever is earlier;

5 (4) an estimated completion date at the pro-
6 jected funding levels; and

7 (5) changes, if any, in the total estimated cost
8 of completion or estimated completion date from
9 previous future-years capital investment plans sub-
10 mitted to the Committees on Appropriations of the
11 Senate and the House of Representatives:

12 *Provided further*, That the Secretary shall ensure that
13 amounts specified in the future-years capital investment
14 plan are consistent to the maximum extent practicable
15 with proposed appropriations necessary to support the
16 programs, projects, and activities of the Coast Guard in
17 the President's budget as submitted under section 1105(a)
18 of title 31, United States Code, for that fiscal year: *Pro-*
19 *vided further*, That any inconsistencies between the capital
20 investment plan and proposed appropriations shall be
21 identified and justified: *Provided further*, That no funding
22 may be obligated for the Rescue 21 vessel subsystem until
23 a vessel solution has been provided to the Committee on
24 Appropriations of the House of Representatives.

1 ALTERATION OF BRIDGES

2 For necessary expenses for alteration or removal of
3 obstructive bridges, as authorized by section 6 of the Tru-
4 man-Hobbs Act (33 U.S.C. 516), \$17,000,000, to remain
5 available until expended.

6 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

7 For necessary expenses for applied scientific re-
8 search, development, test, and evaluation; and for mainte-
9 nance, rehabilitation, lease, and operation of facilities and
10 equipment; as authorized by law; \$13,860,000, to remain
11 available until expended, of which \$495,000 shall be de-
12 rived from the Oil Spill Liability Trust Fund to carry out
13 the purposes of section 1012(a)(5) of the Oil Pollution Act
14 of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may
15 be credited to and used for the purposes of this appropria-
16 tion funds received from State and local governments,
17 other public authorities, private sources, and foreign coun-
18 tries for expenses incurred for research, development, test-
19 ing, and evaluation.

20 RETIRED PAY

21 For retired pay, including the payment of obligations
22 otherwise chargeable to lapsed appropriations for this pur-
23 pose, payments under the Retired Serviceman's Family
24 Protection and Survivor Benefits Plans, payment for ca-
25 reer status bonuses, concurrent receipts and combat-re-
26 lated special compensation under the National Defense

1 Authorization Act, and payments for medical care of re-
2 tired personnel and their dependents under chapter 55 of
3 title 10, United States Code, \$1,063,323,000.

4 UNITED STATES SECRET SERVICE

5 PROTECTION, ADMINISTRATION, AND TRAINING

6 For necessary expenses of the United States Secret
7 Service, including purchase of not to exceed 755 vehicles
8 for police-type use, of which 624 shall be for replacement
9 only, and hire of passenger motor vehicles; purchase of
10 American-made motorcycles; hire of aircraft; services of
11 expert witnesses at such rates as may be determined by
12 the Director of the Secret Service; rental of buildings in
13 the District of Columbia, and fencing, lighting, guard
14 booths, and other facilities on private or other property
15 not in Government ownership or control, as may be nec-
16 essary to perform protective functions; payment of per
17 diem or subsistence allowances to employees where a pro-
18 tective assignment during the actual day or days of the
19 visit of a protectee requires an employee to work 16 hours
20 per day or to remain overnight at a post of duty; conduct
21 of and participation in firearms matches; presentation of
22 awards; travel of United States Secret Service employees
23 on protective missions without regard to the limitations
24 on such expenditures in this or any other Act if approval
25 is obtained in advance from the Committees on Appropria-

1 tions of the Senate and the House of Representatives; re-
2 search and development; grants to conduct behavioral re-
3 search in support of protective research and operations;
4 and payment in advance for commercial accommodations
5 as may be necessary to perform protective functions;
6 \$954,399,000, of which not to exceed \$25,000 shall be for
7 official reception and representation expenses: *Provided*,
8 That up to \$18,000,000 provided for protective travel
9 shall remain available until September 30, 2008: *Provided*
10 *further*, That of the total amount provided under this
11 heading, \$2,000,000 shall not be available for obligation
12 until the Director of the Secret Service submits a com-
13 prehensive workload re-balancing report to the Commit-
14 tees on Appropriations of the Senate and the House of
15 Representatives that includes funding and position re-
16 quirements for current investigative and protective oper-
17 ations: *Provided further*, That the United States Secret
18 Service is authorized to obligate funds in anticipation of
19 reimbursements from Executive agencies and entities, as
20 defined in section 105 of title 5, United States Code, re-
21 ceiving training sponsored by the James J. Rowley Train-
22 ing Center, except that total obligations at the end of the
23 fiscal year shall not exceed total budgetary resources avail-
24 able under this heading at the end of the fiscal year.

1 INVESTIGATIONS AND FIELD OPERATIONS

2 For necessary expenses for investigations and field
3 operations of the United States Secret Service, not other-
4 wise provided for, including costs related to office space
5 and services of expert witnesses at such rates as may be
6 determined by the Director of the Secret Service,
7 \$312,499,000, of which not to exceed \$100,000 shall be
8 to provide technical assistance and equipment to foreign
9 law enforcement organizations in counterfeit investiga-
10 tions; of which \$2,366,000 shall be for forensic and related
11 support of investigations of missing and exploited children;
12 and of which \$5,445,000 shall be a grant for activities
13 related to the investigations of missing and exploited chil-
14 dren and shall remain available until expended.

15 SPECIAL EVENT FUND

16 For necessary expenses of the United States Secret
17 Service to perform protective functions related to special
18 events, \$20,900,000, to remain available until expended,
19 of which \$18,400,000 shall be for protection activities re-
20 lated to presidential campaigns in the United States, and
21 of which \$2,500,000 shall be for extraordinary costs of
22 National Special Security Events.

23 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND

24 RELATED EXPENSES

25 For necessary expenses for acquisition, construction,
26 repair, alteration, and improvement of facilities,

1 \$3,725,000, to remain available until expended: *Provided*
 2 *further*, That of the total amount provided under this
 3 heading, \$1,000,000 shall not be available for obligation
 4 until the Director of the Secret Service submits a revised
 5 master plan to the Committees on Appropriations of the
 6 Senate and the House of Representatives for the James
 7 J. Rowley Training Center.

8 TITLE III—PREPAREDNESS AND RECOVERY

9 PREPAREDNESS

10 UNDER SECRETARY FOR PREPAREDNESS

11 For salaries and expenses of the Office of the Under
 12 Secretary for Preparedness, the Office of the Chief Med-
 13 ical Officer, and the Office of National Capital Region Co-
 14 ordination, \$39,468,000 (increased by \$9,000,000) (re-
 15 duced by \$9,000,000), of which \$15,000,000 shall be for
 16 the National Preparedness Integration Program: *Pro-*
 17 *vided*, That not to exceed \$7,000 shall be for official recep-
 18 tion and representation expenses: *Provided further*, That
 19 of the amounts appropriated under this heading,
 20 \$4,400,000 shall not be available for obligation until the
 21 Secretary of Homeland Security submits to the Commit-
 22 tees on Appropriations of the Senate and the House of
 23 Representatives the final National Preparedness Goal.

OFFICE OF GRANTS AND TRAINING

STATE AND LOCAL PROGRAMS

For grants, contracts, cooperative agreements, and other activities, including grants to State and local governments for terrorism prevention activities, notwithstanding any other provision of law, \$2,524,000,000 (increased by \$50,000,000) (increased by \$20,000,000), which shall be allocated as follows:

(1) \$545,000,000 for formula-based grants and \$400,000,000 for law enforcement terrorism prevention grants pursuant to section 1014 of the USA PATRIOT ACT (42 U.S.C. 3714): *Provided*, That the application for grants shall be made available to States within 45 days from the date of enactment of this Act; States shall submit applications within 90 days after the grant announcement; and the Office of Grants and Training shall act within 90 days after receipt of an application: *Provided further*, That no less than 80 percent of any grant under this paragraph to a State shall be made available by the State to local governments within 60 days after the receipt of the funds.

(2) \$1,165,000,000 (increased by \$50,000,000) (increased by \$20,000,000) for discretionary grants,

1 as determined by the Secretary of Homeland Secu-
2 rity, of which—

3 (A) \$750,000,000 (increased by
4 \$20,000,000) shall be for use in high-threat,
5 high-density urban areas;

6 (B) \$200,000,000 shall be for port security
7 grants pursuant to the purposes of section
8 70107(a) through (h) of title 46, United States
9 Code, which shall be awarded based on risk and
10 threat notwithstanding subsection (a), for eligi-
11 ble costs as described in subsections (b)(2)
12 through (4);

13 (C) \$5,000,000 shall be for trucking indus-
14 try security grants;

15 (D) \$10,000,000 shall be for intercity bus
16 security grants;

17 (E) \$150,000,000 (increased by
18 \$50,000,000) shall be for intercity rail pas-
19 senger transportation (as defined in section
20 24102 of title 49, United States Code), freight
21 rail, and transit security grants; and

22 (F) \$50,000,000 shall be for buffer zone
23 protection grants:

24 *Provided*, That for grants under subparagraph (A),
25 the application for grants shall be made available to

1 States within 45 days after the date of enactment of
2 this Act; States shall submit applications within 90
3 days after the grant announcement; and the Office
4 of Grants and Training shall act within 90 days
5 after receipt of an application: *Provided further*,
6 That no less than 80 percent of any grant under
7 this paragraph to a State shall be made available by
8 the State to local governments within 60 days after
9 the receipt of the funds.

10 (3) \$75,000,000 shall be available for the Com-
11 mercial Equipment Direct Assistance Program.

12 (4) \$339,000,000 for training, exercises, tech-
13 nical assistance, and other programs:

14 *Provided*, That none of the grants provided under this
15 heading shall be used for the construction or renovation
16 of facilities, except for a minor perimeter security project,
17 not to exceed \$1,000,000, as determined necessary by the
18 Secretary of Homeland Security: *Provided further*, That
19 the preceding proviso shall not apply to grants under sub-
20 paragraphs (B), (E), and (F) of paragraph (2) of this
21 heading: *Provided further*, That grantees shall provide ad-
22 ditional reports on their use of funds, as determined nec-
23 essary by the Secretary of Homeland Security: *Provided*
24 *further*, That funds appropriated for law enforcement ter-
25 rorism prevention grants under paragraph (1) of this

1 heading and discretionary grants under paragraph (2)(A)
 2 of this heading shall be available for operational costs, to
 3 include personnel overtime and overtime associated with
 4 the Office of Grants and Training certified training, as
 5 needed.

6 FIREFIGHTER ASSISTANCE GRANTS

7 For necessary expenses for programs authorized by
 8 the Federal Fire Prevention and Control Act of 1974 (15
 9 U.S.C. 2201 et seq.), \$540,000,000 (increased by
 10 \$111,000,000), of which \$500,000,000 (increased by
 11 \$41,000,000) shall be available to carry out section 33 of
 12 such Act (15 U.S.C. 2229) and \$40,000,000 (increased
 13 by \$70,000,000) shall be available to carry out section 34
 14 of such Act (15 U.S.C. 2229a), to remain available until
 15 September 30, 2008: *Provided*, That not to exceed 5 per-
 16 cent of this amount shall be available for program admin-
 17 istration.

18 EMERGENCY MANAGEMENT PERFORMANCE GRANTS

19 For necessary expenses for emergency management
 20 performance grants, as authorized by the National Flood
 21 Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Rob-
 22 ert T. Stafford Disaster Relief and Emergency Assistance
 23 Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards
 24 Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Re-
 25 organization Plan No. 3 of 1978 (5 U.S.C. App.),

1 \$186,000,000: *Provided*, That total administrative costs
2 shall not exceed 3 percent of the total appropriation.

3 RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

4 The aggregate charges assessed during fiscal year
5 2007, as authorized in title III of the Departments of Vet-
6 erans Affairs and Housing and Urban Development, and
7 Independent Agencies Appropriations Act, 1999 (42
8 U.S.C. 5196e), shall not be less than 100 percent of the
9 amounts anticipated by the Department of Homeland Se-
10 curity to be necessary for its radiological emergency pre-
11 paredness program for such fiscal year: *Provided*, That the
12 methodology for assessment and collection of fees shall be
13 fair and equitable and shall reflect costs of providing such
14 services, including administrative costs of collecting such
15 fees: *Provided further*, That fees received under this head-
16 ing shall be deposited in this account as offsetting collec-
17 tions and will become available for authorized purposes on
18 October 1, 2007, and remain available until expended.

19 UNITED STATES FIRE ADMINISTRATION AND TRAINING

20 For necessary expenses of the United States Fire Ad-
21 ministration and for other purposes, as authorized by the
22 Federal Fire Prevention and Control Act of 1974 (15
23 U.S.C. 2201 et seq.) and the Homeland security Act of
24 2002 (6 U.S.C. 101 et seq.), \$46,849,000.

17 FEDERAL EMERGENCY MANAGEMENT AGENCY
18 ADMINISTRATIVE AND REGIONAL OPERATIONS

•HR 5441 EH

1 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of
 2 the National Security Act of 1947 (50 U.S.C. 404, 405),
 3 Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), and
 4 the Homeland Security Act of 2002 (6 U.S.C. 101 et
 5 seq.): *Provided*, That not to exceed \$3,000 shall be for
 6 official reception and representation expenses.

7 READINESS, MITIGATION, RESPONSE, AND RECOVERY

8 For necessary expenses for readiness, mitigation, re-
 9 sponse, and recovery activities, \$238,199,000 (increased
 10 by \$1,000,000) (reduced by \$1,000,000), including activi-
 11 ties authorized by the National Flood Insurance Act of
 12 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford
 13 Disaster Relief and Emergency Assistance Act (42 U.S.C.
 14 5121 et seq.), the Earthquake Hazards Reduction Act of
 15 1977 (42 U.S.C. 7701 et seq.), the Defense Production
 16 Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107
 17 and 303 of the National Security Act of 1947 (50 U.S.C.
 18 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C.
 19 App.), and the Homeland Security Act of 2002 (6 U.S.C.
 20 101 et seq.): *Provided*, That of the total amount made
 21 available under this heading, \$20,000,000 shall be for
 22 Urban Search and Rescue Teams, of which not to exceed
 23 \$1,600,000 may be made available for administrative
 24 costs: *Provided further*, That of the amounts appropriated
 25 under this heading, \$20,000,000 shall not be available for
 26 obligation until the Secretary of Homeland Security sub-

mits to the Committees on Appropriations of the Senate and the House of Representatives a catastrophic planning expenditure plan.

PUBLIC HEALTH PROGRAMS

For necessary expenses for countering potential biological, disease, and chemical threats to civilian populations, \$33,885,000.

DISASTER RELIEF

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$1,662,891,000 (increased by \$14,000,000), to remain available until expended.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program, as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162), \$569,000: *Provided*, That gross obligations for the principal amount of direct loans shall not exceed \$25,000,000: *Provided further*, That the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a).

FLOOD MAP MODERNIZATION FUND

For necessary expenses pursuant to section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), \$198,980,000, and such additional sums as may be provided by State and local governments or other polit-

1 ical subdivisions for cost-shared mapping activities under
 2 section 1360(f)(2) of such Act, to remain available until
 3 expended: *Provided*, That total administrative costs shall
 4 not exceed 3 percent of the total appropriation.

5 NATIONAL FLOOD INSURANCE FUND

6 (INCLUDING TRANSFER OF FUNDS)

7 For activities under the National Flood Insurance
 8 Act of 1968 (42 U.S.C. 4001 et seq.) and the Flood Dis-
 9 aster Protection Act of 1973 (42 U.S.C. 4001 et seq.),
 10 \$128,588,000, which shall be available as follows: (1) not
 11 to exceed \$38,230,000 for salaries and expenses associ-
 12 ated with flood mitigation and flood insurance operations;
 13 and (2) not to exceed \$90,358,000 for flood hazard miti-
 14 gation, which shall be derived from offsetting collections
 15 assessed and collected pursuant to section 1307 of the Na-
 16 tional Flood Insurance Act of 1968 (42 U.S.C. 4014), to
 17 remain available until September 30, 2008, including up
 18 to \$31,000,000 for flood mitigation expenses under section
 19 1366 of such Act (42 U.S.C. 4104c), which amount shall
 20 be available for transfer to the National Flood Mitigation
 21 Fund until September 30, 2008: *Provided*, That in fiscal
 22 year 2007, no funds shall be available from the National
 23 Flood Insurance Fund in excess of: (1) \$70,000,000 for
 24 operating expenses; (2) \$692,999,000 for commissions
 25 and taxes of agents; (3) such sums as are necessary for

1 interest on Treasury borrowings; and (4) \$50,000,000 for
 2 flood mitigation actions with respect to severe repetitive
 3 loss properties under section 1361A of such Act (42
 4 U.S.C. 4102a) and repetitive insurance claims properties
 5 under section 1323 of such Act (42 U.S.C. 4030), which
 6 shall remain available until expended: *Provided further*,
 7 That total administrative costs shall not exceed 3 percent
 8 of the total appropriation.

9 NATIONAL FLOOD MITIGATION FUND

10 (INCLUDING TRANSFER OF FUNDS)

11 Notwithstanding subparagraphs (B) and (C) of sub-
 12 section (b)(3), and subsection (f), of section 1366 of the
 13 National Flood Insurance Act of 1968 (42 U.S.C. 4104c),
 14 \$31,000,000, to remain available until September 30,
 15 2008, for activities designed to reduce the risk of flood
 16 damage to structures pursuant to such Act, of which
 17 \$31,000,000 shall be derived from the National Flood In-
 18 surance Fund.

19 NATIONAL PRE-DISASTER MITIGATION FUND

20 For a predisaster mitigation grant program under
 21 title II of the Robert T. Stafford Disaster Relief and
 22 Emergency Assistance Act (42 U.S.C. 5131 et seq.),
 23 \$100,000,000, to remain available until expended: *Pro-*
 24 *vided*, That grants made for predisaster mitigation shall
 25 be awarded on a competitive basis subject to the criteria

1 in section 203(g) of such Act (42 U.S.C. 5133(g)): *Pro-*
 2 *vided further*, That total administrative costs shall not ex-
 3 ceed 3 percent of the total appropriation.

4 EMERGENCY FOOD AND SHELTER

5 To carry out an emergency food and shelter program
 6 pursuant to title III of the McKinney-Vento Homeless As-
 7 sistance Act (42 U.S.C. 11331 et seq.), \$151,470,000, to
 8 remain available until expended: *Provided*, That total ad-
 9 ministrative costs shall not exceed 3.5 percent of the total
 10 appropriation.

11 TITLE IV—RESEARCH AND DEVELOPMENT,
 12 TRAINING, AND SERVICES

13 UNITED STATES CITIZENSHIP AND IMMIGRATION
 14 SERVICES

15 For necessary expenses for citizenship and immigra-
 16 tion services, \$161,990,000 (increased by \$20,000,000):
 17 *Provided*, That \$47,000,000 may not be obligated until
 18 the Committees on Appropriations of the Senate and the
 19 House of Representatives receive and approve a strategic
 20 transformation plan for United States Citizenship and Im-
 21 migration Services that has been reviewed and approved
 22 by the Secretary of Homeland Security and reviewed by
 23 the Government Accountability Office.

1 FEDERAL LAW ENFORCEMENT TRAINING CENTER
2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Law Enforce-
4 ment Training Center, including materials and support
5 costs of Federal law enforcement basic training; purchase
6 of not to exceed 117 vehicles for police-type use and hire
7 of passenger motor vehicles; expenses for student athletic
8 and related activities; the conduct of and participation in
9 firearms matches and presentation of awards; public
10 awareness and enhancement of community support of law
11 enforcement training; room and board for student interns;
12 a flat monthly reimbursement to employees authorized to
13 use personal mobile phones for official duties; and services
14 as authorized by section 3109 of title 5, United States
15 Code; \$210,507,000, of which up to \$43,910,000 for ma-
16 terials and support costs of Federal law enforcement basic
17 training shall remain available until September 30, 2008;
18 of which \$300,000 shall remain available until expended
19 for Federal law enforcement agencies participating in
20 training accreditation, to be distributed as determined by
21 the Federal Law Enforcement Training Center for the
22 needs of participating agencies; and of which not to exceed
23 \$12,000 shall be for official reception and representation
24 expenses: *Provided*, That the Center is authorized to obli-
25 gate funds in anticipation of reimbursements from agen-

1 cies receiving training sponsored by the Center, except
2 that total obligations at the end of the fiscal year shall
3 not exceed total budgetary resources available at the end
4 of the fiscal year: *Provided further*, That section 1202(a)
5 of Public Law 107–206 (42 U.S.C. 3771 note) is amended
6 by striking “5 years after the date of the enactment of
7 this Act” and inserting “December 31, 2009”, and by
8 striking “250” and inserting “350”.

9 ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND
10 RELATED EXPENSES

11 For acquisition of necessary additional real property
12 and facilities, construction, and ongoing maintenance, fa-
13 cility improvements, and related expenses of the Federal
14 Law Enforcement Training Center, \$42,246,000, to re-
15 main available until expended: *Provided*, That the Center
16 is authorized to accept reimbursement to this appropria-
17 tion from government agencies requesting the construction
18 of special use facilities.

19 SCIENCE AND TECHNOLOGY

20 MANAGEMENT AND ADMINISTRATION

21 For salaries and expenses of the Office of the Under
22 Secretary for Science and Technology and for manage-
23 ment and administration of programs and activities, as
24 authorized by title III of the Homeland Security Act of
25 2002 (6 U.S.C. 181 et seq.), \$180,901,000: *Provided*,

1 That not to exceed \$3,000 shall be for official reception
2 and representation expenses: *Provided further*, That of the
3 amounts made available under this heading, \$98,000,000
4 may not be obligated until the Under Secretary submits
5 a detailed expenditure plan for fiscal year 2007 programs
6 and operations to the Committees on Appropriations of
7 the Senate and the House of Representatives.

8 RESEARCH, DEVELOPMENT, ACQUISITION, AND
9 OPERATIONS

10 For necessary expenses for science and technology re-
11 search, including advanced research projects; development;
12 test and evaluation; acquisition; and operations; as author-
13 ized by title III of the Homeland Security Act of 2002
14 (6 U.S.C. 181 et seq.); and the purchase or lease of not
15 to exceed 5 vehicles, \$775,370,000 (reduced by
16 \$107,000,000), to remain available until expended: *Pro-*
17 *vided*, That of the amounts made available under this
18 heading, \$400,000,000 may not be obligated until the
19 Committees on Appropriations of the Senate and the
20 House of Representatives receive and approve a report
21 prepared by the Under Secretary that describes Science
22 and Technology's progress to address financial manage-
23 ment deficiencies; improve its management controls; and
24 implement performance measures and evaluations.

1 DOMESTIC NUCLEAR DETECTION OFFICE

2 For necessary expenses of the Domestic Nuclear De-
3 tection Office, including nuclear detection research, devel-
4 opment, testing and evaluation, acquisition, operations,
5 management and administration, \$500,000,000, to remain
6 available until expended, of which not to exceed
7 \$178,000,000 shall be for the purchase and deployment
8 of radiation detection equipment in accordance with the
9 global nuclear detection architecture; and of which not to
10 exceed \$85,200,000 shall be for radiological and nuclear
11 transformational research and development; and of which
12 not to exceed \$30,468,000 shall be for the management
13 and administration of these programs and activities: *Pro-*
14 *vided*, That no funds provided in this Act shall be used
15 to create a Sodium-Iodide Manufacturing Program until
16 the Office demonstrates that Advanced Spectroscopic Por-
17 tal monitors will significantly speed commerce, reduce the
18 costs of secondary inspection, or significantly increase sen-
19 sitivity over current generation Radiation Portal Monitors.

20 TITLE V—GENERAL PROVISIONS

21 SEC. 501. No part of any appropriation contained in
22 this Act shall remain available for obligation beyond the
23 current fiscal year unless expressly so provided herein.

24 SEC. 502. Subject to the requirements of section 503
25 of this Act, the unexpended balances of prior appropria-

1 tions provided for activities in this Act may be transferred
2 to appropriation accounts for such activities established
3 pursuant to this Act: *Provided*, That balances so trans-
4 ferred may be merged with funds in the applicable estab-
5 lished accounts and thereafter may be accounted for as
6 one fund for the same time period as originally enacted.

7 SEC. 503. (a) None of the funds provided by this Act,
8 provided by previous appropriations Acts to the agencies
9 in or transferred to the Department of Homeland Security
10 that remain available for obligation or expenditure in fiscal
11 year 2007, or provided from any accounts in the Treasury
12 of the United States derived by the collection of fees avail-
13 able to the agencies funded by this Act, shall be available
14 for obligation or expenditure through a reprogramming of
15 funds that: (1) creates a new program; (2) eliminates a
16 program, project, or activity; (3) increases funds for any
17 program, project, or activity for which funds have been
18 denied or restricted by the Congress; (4) proposes to use
19 funds directed for a specific activity by either of the Com-
20 mittees on Appropriations of the Senate or House of Rep-
21 resentatives for a different purpose; or (5) contracts out
22 any functions or activities for which funds have been ap-
23 propriated for Federal full-time equivalent positions; un-
24 less the Committees on Appropriations of the Senate and

1 the House of Representatives are notified 15 days in ad-
2 vance of such reprogramming of funds.

3 (b) None of the funds provided by this Act, provided
4 by previous appropriations Acts to the agencies in or
5 transferred to the Department of Homeland Security that
6 remain available for obligation or expenditure in fiscal
7 year 2007, or provided from any accounts in the Treasury
8 of the United States derived by the collection of fees avail-
9 able to the agencies funded by this Act, shall be available
10 for obligation or expenditure for programs, projects, or ac-
11 tivities through a reprogramming of funds in excess of
12 \$5,000,000 or 10 percent, whichever is less, that: (1) aug-
13 ments existing programs, projects, or activities; (2) re-
14 duces by 10 percent funding for any existing program,
15 project, or activity, or numbers of personnel by 10 percent
16 as approved by the Congress; or (3) results from any gen-
17 eral savings from a reduction in personnel that would re-
18 sult in a change in existing programs, projects, or activi-
19 ties as approved by the Congress; unless the Committees
20 on Appropriations of the Senate and the House of Rep-
21 resentatives are notified 15 days in advance of such re-
22 programming of funds.

23 (c) Not to exceed 5 percent of any appropriation
24 made available for the current fiscal year for the Depart-
25 ment of Homeland Security by this Act or provided by

1 previous appropriations Acts may be transferred between
2 such appropriations, but no such appropriations, except
3 as otherwise specifically provided, shall be increased by
4 more than 10 percent by such transfers: *Provided*, That
5 any transfer under this section shall be treated as a re-
6 programming of funds under subsection (b) of this section
7 and shall not be available for obligation unless the Com-
8 mittees on Appropriations of the Senate and the House
9 of Representatives are notified 15 days in advance of such
10 transfer.

11 (d) Notwithstanding subsections (a), (b), and (c) of
12 this section, no funds shall be reprogrammed within or
13 transferred between appropriations after June 30, except
14 in extraordinary circumstances which imminently threaten
15 the safety of human life or the protection of property.

16 SEC. 504. Except as otherwise specifically provided
17 by law, not to exceed 50 percent of unobligated balances
18 remaining available at the end of fiscal year 2007 from
19 appropriations for salaries and expenses for fiscal year
20 2007 in this Act shall remain available through September
21 30, 2008, in the account and for the purposes for which
22 the appropriations were provided: *Provided*, That prior to
23 the obligation of such funds, a request shall be submitted
24 to the Committees on Appropriations of the Senate and

1 the House of Representatives for approval in accordance
2 with section 503 of this Act.

3 SEC. 505. Funds made available by this Act for intel-
4 ligence activities are deemed to be specifically authorized
5 by the Congress for purposes of section 504 of the Na-
6 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
7 year 2007 until the enactment of an Act authorizing intel-
8 ligence activities for fiscal year 2007.

9 SEC. 506. The Federal Law Enforcement Training
10 Center shall lead the Federal law enforcement training ac-
11 creditation process, including representatives from the
12 Federal law enforcement community and non-Federal ac-
13 creditation experts involved in law enforcement training,
14 to continue the implementation of measuring and assess-
15 ing the quality and effectiveness of Federal law enforce-
16 ment training programs, facilities, and instructors.

17 SEC. 507. None of the funds in this Act may be used
18 to make a grant allocation, discretionary grant award, dis-
19 cretionary contract award, or to issue a letter of intent
20 totaling in excess of \$1,000,000, or to announce publicly
21 the intention to make such an award, unless the Secretary
22 of Homeland Security notifies the Committees on Appro-
23 priations of the Senate and the House of Representatives
24 at least 3 full business days in advance: *Provided*, That

1 no notification shall involve funds that are not available
2 for obligation.

3 SEC. 508. Notwithstanding any other provision of
4 law, no agency shall purchase, construct, or lease any ad-
5 ditional facilities, except within or contiguous to existing
6 locations, to be used for the purpose of conducting Federal
7 law enforcement training without the advance approval of
8 the Committees on Appropriations of the Senate and the
9 House of Representatives, except that the Federal Law
10 Enforcement Training Center is authorized to obtain the
11 temporary use of additional facilities by lease, contract,
12 or other agreement for training which cannot be accommo-
13 dated in existing Center facilities.

14 SEC. 509. The Director of the Federal Law Enforce-
15 ment Training Center shall schedule basic and/or ad-
16 vanced law enforcement training at all four training facili-
17 ties under the control of the Federal Law Enforcement
18 Training Center to ensure that these training centers are
19 operated at the highest capacity throughout the fiscal
20 year.

21 SEC. 510. None of the funds appropriated or other-
22 wise made available by this Act may be used for expenses
23 of any construction, repair, alteration, or acquisition
24 project for which a prospectus, if required by chapter 33
25 of title 40, United States Code, has not been approved,

1 except that necessary funds may be expended for each
2 project for required expenses for the development of a pro-
3 posed prospectus.

4 SEC. 511. None of the funds in this Act may be used
5 in contravention of the applicable provisions of the Buy
6 American Act (41 U.S.C. 10a et seq.).

7 SEC. 512. Notwithstanding any other provision of
8 law, the authority of the Office of Personnel Management
9 to conduct personnel security and suitability background
10 investigations, update investigations, and periodic reinves-
11 tigation of applicants for, or appointees in, positions in
12 the Office of the Secretary and Executive Management,
13 the Office of the Under Secretary for Management, Anal-
14 ysis and Operations, Immigration and Customs Enforce-
15 ment, the Directorate for Preparedness, and the Direc-
16 torate of Science and Technology of the Department of
17 Homeland Security is transferred to the Department of
18 Homeland Security: *Provided*, That on request of the De-
19 partment of Homeland Security, the Office of Personnel
20 Management shall cooperate with and assist the Depart-
21 ment in any investigation or reinvestigation under this sec-
22 tion: *Provided further*, That this section shall cease to be
23 effective at such time as the President has selected a sin-
24 gle agency to conduct security clearance investigations
25 pursuant to section 3001(c) of the Intelligence Reform

1 and Terrorism Prevention Act of 2004 (Public Law 108–
2 458; 50 U.S.C. 435b(c)) and the entity selected under sec-
3 tion 3001(b) of such Act has reported to the Congress that
4 the agency selected pursuant to such section 3001(c) is
5 capable of conducting all necessary investigations in a
6 timely manner or has authorized the entities within the
7 Department of Homeland Security covered by this section
8 to conduct their own investigations pursuant to section
9 3001 of such Act.

10 SEC. 513. (a) None of the funds provided by this or
11 previous appropriations Acts may be obligated for deploy-
12 ment or implementation, on other than a test basis, of the
13 Secure Flight program or any other follow on or successor
14 passenger prescreening program, until the Secretary of
15 Homeland Security certifies, and the Government Ac-
16 countability Office reports, to the Committees on Appro-
17 priations of the Senate and the House of Representatives,
18 that all ten of the elements contained in paragraphs (1)
19 through (10) of section 522(a) of Public Law 108–334
20 (118 Stat. 1319) have been successfully met.

21 (b) The report required by subsection (a) shall be
22 submitted within 90 days after the Secretary provides the
23 requisite certification, and periodically thereafter, if nec-
24 essary, until the Government Accountability Office con-
25 firms that all ten elements have been successfully met.

1 (c) Within 90 days of enactment of this Act, the Sec-
2 retary shall submit to the Committees on Appropriations
3 of the Senate and House of Representatives a detailed
4 plan that describes (1) the dates for achieving key mile-
5 stones, including the date or timeframes that the Sec-
6 retary will certify the program under subsection (a); and
7 (2) the methodology to be followed to support the Sec-
8 retary's certification, as required under subsection (a).

9 (d) During the testing phase permitted by subsection
10 (a), no information gathered from passengers, foreign or
11 domestic air carriers, or reservation systems may be used
12 to screen aviation passengers, or delay or deny boarding
13 to such passengers, except in instances where passenger
14 names are matched to a Government watch list.

15 (e) None of the funds provided in this or previous
16 appropriations Acts may be utilized to develop or test algo-
17 rithms assigning risk to passengers whose names are not
18 on Government watch lists.

19 (f) None of the funds provided in this or previous
20 appropriations Acts may be utilized for data or a database
21 that is obtained from or remains under the control of a
22 non-Federal entity: *Provided*, That this restriction shall
23 not apply to Passenger Name Record data obtained from
24 air carriers.

1 SEC. 514. None of the funds made available in this
2 Act may be used to amend the oath of allegiance required
3 by section 337 of the Immigration and Nationality Act
4 (8 U.S.C. 1448).

5 SEC. 515. None of the funds appropriated by this Act
6 may be used to process or approve a competition under
7 Office of Management and Budget Circular A–76 for serv-
8 ices provided as of June 1, 2004, by employees (including
9 employees serving on a temporary or term basis) of United
10 States Citizenship and Immigration Services of the De-
11 partment of Homeland Security who are known as of that
12 date as Immigration Information Officers, Contact Rep-
13 resentatives, or Investigative Assistants.

14 SEC. 516. None of the funds appropriated by this Act
15 shall be available to maintain the United States Secret
16 Service as anything but a distinct entity within the De-
17 partment of Homeland Security and shall not be used to
18 merge the United States Secret Service with any other de-
19 partment function, cause any personnel and operational
20 elements of the United States Secret Service to report to
21 an individual other than the Director of the United States
22 Secret Service, or cause the Director to report directly to
23 any individual other than the Secretary of Homeland Se-
24 curity.

1 SEC. 517. None of the funds appropriated to the
2 United States Secret Service by this Act or by previous
3 appropriations Acts may be made available for the protec-
4 tion of the head of a Federal agency other than the Sec-
5 retary of Homeland Security: *Provided*, That the Director
6 of the United States Secret Service may enter into an
7 agreement to perform such service on a fully reimbursable
8 basis.

9 SEC. 518. The Secretary of Homeland Security, in
10 consultation with industry stakeholders, shall develop
11 standards and protocols for increasing the use of explosive
12 detection equipment to screen air cargo when appropriate.

13 SEC. 519. The Transportation Security Administra-
14 tion (TSA) shall utilize existing checked baggage explosive
15 detection equipment and screeners to screen cargo carried
16 on passenger aircraft to the greatest extent practicable at
17 each airport: *Provided*, That TSA shall report air cargo
18 inspection statistics quarterly to the Committee on Appro-
19 priations of the House of Representatives, by airport and
20 air carrier, within 45 days after the end of the quarter:
21 *Provided further*, That the appropriation for “Aviation Se-
22 curity” in this Act is reduced by \$100,000 for each day
23 beyond such deadline that such quarterly report is not pro-
24 vided.

1 SEC. 520. None of the funds available for obligation
2 for the transportation worker identification credential pro-
3 gram shall be used to develop a personalization system
4 that is decentralized or a card production capability that
5 does not utilize an existing government card production
6 facility.

7 SEC. 521. (a) RESCISSION.—From the unexpended
8 balances of the United States Coast Guard “Acquisition,
9 Construction, and Improvements” account specifically
10 identified in the Joint Explanatory Statement (House Re-
11 port 109–241) accompanying Public Law 109–90 for the
12 Fast Response Cutter, the service life extension program
13 of the current 110-foot Island Class patrol boat fleet, and
14 accelerated design and production of the Fast Response
15 Cutter, \$79,347,002 are rescinded.

16 (b) ADDITIONAL APPROPRIATION.—For necessary
17 expenses of the United States Coast Guard for “Acquisi-
18 tion, Construction, and Improvements”, there is appro-
19 priated an additional \$79,347,002, to remain available
20 until September 30, 2009, for the service life extension
21 program of the current 110-foot Island Class patrol boat
22 fleet and the acquisition of traditional patrol boats (“par-
23 ent craft”).

24 SEC. 522. None of the funds made available in this
25 Act may be used by any person other than the privacy

1 officer appointed pursuant to section 222 of the Homeland
2 Security Act of 2002 (6 U.S.C. 142) to alter, direct that
3 changes be made to, delay, or prohibit the transmission
4 to the Congress of any report prepared pursuant to para-
5 graph (6) of such section.

6 SEC. 523. No funding provided by this or previous
7 appropriation Acts shall be available to pay the salary of
8 any employee serving as a contracting officer's technical
9 representative (COTR), or anyone acting in a similar or
10 like capacity, who has not received COTR training.

11 SEC. 524. Except as provided in section 44945 of title
12 49, United States Code, funds appropriated or transferred
13 to Transportation Security Administration "Aviation Se-
14 curity" and "Administration" for fiscal years 2004, 2005,
15 and 2006 that are recovered or deobligated shall be avail-
16 able only for procurement and installation of explosive de-
17 tection systems for air cargo, baggage, and checkpoint
18 screening systems: *Provided*, That these funds shall be
19 subject to section 503 of this Act.

20 SEC. 525. Using funds made available in this Act,
21 and within 60 days of enactment of this Act, the Secretary
22 of the Department of Homeland Security shall revise DHS
23 MD 11056 to include the following: (1) that information
24 that is three years old and not incorporated in a current,
25 active transportation security directive or security plan

1 shall be determined automatically to be releaseable unless,
2 for each specific document, the Secretary makes a written
3 determination that identifies a compelling reason why the
4 information must remain SSI; (2) incorporation of com-
5 mon and extensive examples of the individual categories
6 of SSI information cited under 49 CFR 1520(b)(1)
7 through (16) in order to minimize and standardize judg-
8 ment by covered persons in the application of SSI mark-
9 ing; and (3) that in all judicial proceedings where the
10 judge overseeing the proceeding has adjudicated that a
11 party needs to have access to SSI information, the party
12 shall be deemed a DHS Covered Person for purposes of
13 access to the SSI information at issue in the case unless
14 TSA or DHS demonstrates a compelling reason why the
15 specific individual presents a risk of harm to the nation.

16 SEC. 526. The Department of Homeland Security
17 Working Capital Fund, established, pursuant to section
18 403 of Public Law 103–356 (31 U.S.C. 501 note), shall
19 continue operations during fiscal year 2007.

20 SEC. 527. RESCISSION.—Of the unobligated balances
21 from prior year appropriations made available for the
22 “Counterterrorism Fund”, \$16,000,000 are rescinded.

23 SEC. 528. The weekly report required by Public Law
24 109–62 detailing the allocation and obligation of funds for
25 “Disaster Relief” shall include: (1) detailed information

1 on each allocation, obligation, or expenditure that totals
2 more than \$50,000,000, categorized by increments of not
3 larger than \$50,000,000; (2) the amount of credit card
4 purchases by agency and mission assignment; (3) obliga-
5 tions, allocations, and expenditures, categorized by agency,
6 by State, for New Orleans, and by purpose and mission
7 assignment; (4) status of the Disaster Relief Fund; and
8 (5) specific reasons for all waivers granted and a descrip-
9 tion of each waiver: *Provided*, That the detailed informa-
10 tion required by paragraph (1) shall include the purpose
11 of each allocation, obligation, or expenditure; whether the
12 work will be performed by a governmental agency or a con-
13 tractor; and, if the work is to be performed by a con-
14 tractor, the name of the contractor, the type of contract,
15 and whether the contract is sole-source, full and open com-
16 petition, or limited competition.

17 SEC. 529. Within 45 days after the close of each
18 month, the Chief Financial Officer of the Department of
19 Homeland Security shall submit to the Committees on Ap-
20 propriations of the Senate and the House of Representa-
21 tives a monthly budget execution report that sets forth
22 the total obligational authority appropriated (new budget
23 authority plus unobligated carryover), undistributed
24 obligational authority, amount allotted, current year obli-
25 gations, unobligated authority (the difference between

1 total obligational authority and current year obligations),
2 beginning unexpended obligations, year-to-date costs, and
3 year end unexpended obligations, of the Department of
4 Homeland Security: *Provided*, That such information shall
5 be provided for each Departmental component and the
6 Working Capital Fund at the level of detail shown in the
7 table of detailed funding recommendations displayed at
8 the end of the report accompanying this Act.

9 SEC. 530. (a) UNITED STATES SECRET SERVICE USE
10 OF PROCEEDS DERIVED FROM CRIMINAL INVESTIGA-
11 TIONS.—During fiscal years 2007 through 2009, with re-
12 spect to any undercover investigative operation of the
13 United States Secret Service (hereafter referred to in this
14 section as the “Secret Service”) that is necessary for the
15 detection and prosecution of crimes against the United
16 States—

17 (1) sums appropriated for the Secret Service,
18 including unobligated balances available from prior
19 fiscal years, may be used for purchasing property,
20 buildings, and other facilities, and for leasing space,
21 within the United States, the District of Columbia,
22 and the territories and possessions of the United
23 States, without regard to sections 1341 and 3324 of
24 title 31, United States Code, section 8141 of title
25 40, United States Code, sections 3732(a) and 3741

1 of the Revised Statutes of the United States (41
2 U.S.C. 11(a) and 22), and sections 304(a) and 305
3 of the Federal Property and Administrative Services
4 Act of 1949 (41 U.S.C 254(a) and 255);

5 (2) sums appropriated for the Secret Service,
6 including unobligated balances available from prior
7 fiscal years, may be used to establish or to acquire
8 proprietary corporations or business entities as part
9 of such undercover operation, and to operate such
10 corporations or business entities on a commercial
11 basis, without regard to sections 9102 and 9103 of
12 title 31, United States Code;

13 (3) sums appropriated for the Secret Service,
14 including unobligated balances available from prior
15 fiscal years and the proceeds from such undercover
16 operation, may be deposited in banks or other finan-
17 cial institutions, without regard to section 648 of
18 title 18, and section 3302 of title 31, United States
19 Code; and

20 (4) proceeds from such undercover operation
21 may be used to offset necessary and reasonable ex-
22 penses incurred in such operation, without regard to
23 section 3302 of title 31, United States Code.

24 (b) WRITTEN CERTIFICATION.—The authority set
25 forth in subsection (a) may be exercised only upon the

1 written certification of the Director of the Secret Service
2 or designee that any action authorized by any paragraph
3 of such subsection is necessary for the conduct of an un-
4 dercover investigative operation. Such certification shall
5 continue in effect for the duration of such operation, with-
6 out regard to fiscal years.

7 (c) DEPOSIT OF PROCEEDS IN TREASURY.—As soon
8 as practicable after the proceeds from an undercover in-
9 vestigative operation with respect to which an action is
10 authorized and carried out under paragraphs (3) and (4)
11 of subsection (a) are no longer necessary for the conduct
12 of such operation, such proceeds or the balance of such
13 proceeds remaining at the time shall be deposited in the
14 Treasury of the United States as miscellaneous receipts.

15 (d) REPORTING AND DEPOSIT OF PROCEEDS UPON
16 DISPOSITION OF CERTAIN BUSINESS ENTITIES.—If a cor-
17 poration or business entity established or acquired as part
18 of an undercover investigative operation under paragraph
19 (2) of subsection (a) with a net value of over \$50,000 is
20 to be liquidated, sold, or otherwise disposed of, the Secret
21 Service, as much in advance as the Director or designee
22 determines is practicable, shall report the circumstance to
23 the Secretary of Homeland Security. The proceeds of the
24 liquidation, sale, or other disposition, after obligations are

1 met, shall be deposited in the Treasury of the United
2 States as miscellaneous receipts.

3 (e) FINANCIAL AUDITS AND REPORTS.—

4 (1) The Secret Service shall conduct detailed fi-
5 nancial audits of closed undercover investigative op-
6 erations for which a written certification was made
7 pursuant to subsection (b) on a quarterly basis and
8 shall report the results of the audits in writing to
9 the Secretary of Homeland Security.

10 (2) The Secretary of Homeland Security shall
11 annually submit to the Committees on Appropria-
12 tions of the Senate and House of Representatives, at
13 the time that the President's budget is submitted
14 under section 1105(a) of title 31, a summary of
15 such audits.

16 SEC. 531. The Director of the Domestic Nuclear De-
17 tection Office shall operate extramural and intramural re-
18 search, development, demonstrations, testing and evalua-
19 tion programs so as to distribute funding through grants,
20 cooperative agreements, other transactions and contracts.

21 SEC. 532. None of the funds made available in this
22 Act for United States Customs and Border Protection
23 may be used to prevent an individual not in the business
24 of importing a prescription drug (within the meaning of
25 section 801(g) of the Federal Food, Drug, and Cosmetic

1 Act) from importing a prescription drug that complies
2 with sections 501, 502, and 505 of such Act.

3 SEC. 533. From the unobligated balances of Trans-
4 portation Security Administration “Aviation Security”
5 and “Headquarters Administration”, \$4,776,000 are re-
6 scinded.

7 SEC. 534. Notwithstanding the requirements of sec-
8 tion 404(b)(2)(B) of the Robert T. Stafford Disaster Re-
9 lief and Emergency Assistance Act, the Army Corps of
10 Engineers may use Lot 19, Block 1 of the Meadowview
11 Acres Addition and Lot 8, Block 5 of the Meadowview
12 Acres Addition in Augusta, Kansas, for building portions
13 of the flood-control levee.

14 SEC. 535. Notwithstanding any time limitation estab-
15 lished for a grant awarded under title I, chapter 6, Public
16 Law 106–31, in the item relating to Federal Emergency
17 Management Agency—Disaster Assistance for Unmet
18 Needs, the City of Cuero, Texas, may use funds received
19 under such grant program until June 30, 2007.

20 SEC. 536. None of the funds in this Act shall be used
21 to recruit, hire, or employ nonscreener personnel into the
22 Transportation Security Administration’s Federal Secu-
23 rity Director office at each airport participating in the se-
24 curity partnership program under section 44920 of title
25 49, United States Code, whose job title and job description

1 would duplicate those of nonscreener personnel employed
2 by the screening company that is under contract with the
3 Transportation Security Administration to provide secu-
4 rity screening services at the airport.

5 SEC. 537. None of the funds made available by this
6 Act shall be used in contravention of the Federal buildings
7 performance and reporting requirements of Executive
8 Order No. 13123, part 3 of title V of the National Energy
9 Conservation Policy Act (42 U.S.C. 8251 et seq.), or sub-
10 title A of title I of the Energy Policy Act of 2005 (includ-
11 ing the amendments made thereby).

12 SEC. 538. None of the funds made available in this
13 Act may be used in contravention of section 303 of the
14 Energy Policy Act of 1992 (42 U.S.C. 13212).

15 SEC. 539. None of the funds made available in this
16 Act may be used to award any contract for major disaster
17 or emergency assistance activities under the Robert T.
18 Stafford Disaster Relief and Emergency Assistance Act
19 except in accordance with section 307 of such Act (42
20 U.S.C. 5150).

21 SEC. 540. None of the funds made available in the
22 Act may be used to reimburse L.B.& B. Associates, Inc.
23 or Olgoonik Logistics, LLC (or both) for attorneys fees
24 related to pending litigation against Local 30 of the Inter-
25 national Union of Operating Engineers.

1 SEC. 541. The amounts otherwise provided by this
2 Act are revised by reducing the amount made available
3 for “DEPARTMENTAL MANAGEMENT AND OPER-
4 ATIONS—OFFICE OF THE SECRETARY AND EXECUTIVE
5 MANAGEMENT”, and increasing the amount made avail-
6 able for “OFFICE OF GRANTS AND TRAINING—FIRE-
7 FIGHTER ASSISTANCE GRANTS” (for increasing the
8 amount under such heading to carry out section 33 of the
9 Federal Fire Prevention Control Act of 1974 by
10 \$2,100,000, and increasing the amount under such head-
11 ing to carry out section 34 of such Act by \$2,100,000),
12 by \$4,200,000.

13 SEC. 542. The amounts otherwise provided by this
14 Act are revised by increasing the amount made available
15 for “United States Secret Service—Protection, Adminis-
16 tration, and Training” and the amount made available for
17 “Federal Emergency Management Agency—Readiness,
18 Mitigation, Response, and Recovery” by \$2,000,000 re-
19 spectively.

20 SEC. 543. None of the the funds appropriated or oth-
21 erwise made available in this Act may be used in con-
22 travention of section 642(a) of the Illegal Immigration Re-
23 form and Immigrant Responsibility Act of 1996 (8 U.S.C.
24 1373(a)).

1 SEC. 544. None of the funds made available by this
2 Act may be used to provide a foreign government informa-
3 tion relating to the activities of an organized volunteer ci-
4 vilian action group, as defined by DHS OIG–06–4, oper-
5 ating in the State of California, Texas, New Mexico, or
6 Arizona, unless required by international treaty.

7 This Act may be cited as the “Department of Home-
8 land Security Appropriations Act, 2007”.

Passed the House of Representatives June 6, 2006.

Attest:

Clerk.

109TH CONGRESS
2^D SESSION

H. R. 5441

AN ACT

Making appropriations for the Department of
Homeland Security for the fiscal year ending
September 30, 2007, and for other purposes.